

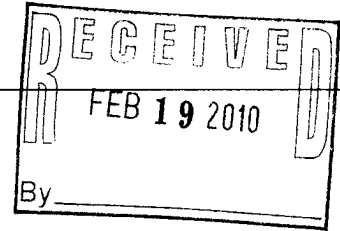


Suite 100
1525 Bull Lea Road
Lexington, KY 40511
Phone: 859-225-8500
Fax: 859-225-8501

Office Locations

Madison, WI
Joliet, IL
Louisville, KY
Lexington, KY
Mobile, AL
Columbus, IN
Columbus, OH
Indianapolis, IN
Milwaukee, WI
Cincinnati, OH
Phoenix, AZ

www.strand.com



February 18, 2010

Ms. Kate Carigan
Department for Environmental Protection
Division of Water
Frankfort Office Park
14 Reilly Road
Frankfort, KY 40601-1189

Re: Eastern State Hospital
Commonwealth of Kentucky
Division of Engineering and Contract Administration
Fayette County, Kentucky

Dear Ms. Carigan:

Attached is the permit application and support documents for your processing. The proposed construction activities are within the floodplain and floodway of Cane Run Creek and will require your review and approval.

The hydraulic impacts, just upstream of the proposed bridge placement, will be in the range of a 1.4 foot rise in comparison to existing conditions flood elevations for the 1-percent chance storm event. All property owners that will be impacted by the increase in flood elevation because of the bridge construction have been contacted for a release or acceptance of the change. Once the bridge is constructed a request for a Letter of Map Revision will be filled with FEMA. Acceptance by FEMA of the LOMR request will make the actual Base Flood Elevation (BFE) at the bridge and in the area of its influence lower than the FEMA 2008 FIS BFE. A copy of the request for FEMA Conditional Letter of Map Revision is provided for your files with its hydraulic analysis of the proposed bridge.

A copy of the notices and affidavits that were sent out are attached for you files. The signed affidavits will be submitted within the next two weeks.

On the behalf of our client, Kentucky Division of Engineering and Contract Administration, an application to U.S. Army Corps of Engineers noting the activities covered under a Nationwide Permit No. 39 has been submitted. The client will require the selected contractor to develop a Stormwater Pollution Prevention Plan complying with all permit conditions and file the "NOI" required by the KYR10 permit.

We understand that the Kentucky Division of Water (KDOW) permit application will address both the Construction Along a Stream and the Water Quality Certification permits. We have submitted a duplicate copy of the attached water quality related documents to Alan Grant to expedite the permit process on the water quality side of the



Ms. Kate Carigan
Department for Environmental Protection
Page 2
February 18, 2010

KDOW. The construction of this project will be funded by the Commonwealth of Kentucky, therefore, your timely review and processing is greatly appreciated by the project team.

If you have any questions, please do not hesitate to contact me.

Sincerely,

STRAND ASSOCIATES, INC.®

A handwritten signature in black ink, appearing to read 'Darrell A. Edwards', is written over the printed name.

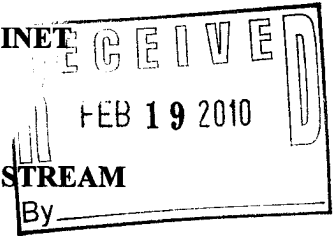
Darrell A. Edwards, P.E.

Enclosure(s)

c: Lee Ann Divine, U.S. Army Corps of Engineers

c/enc: Andy Casebier, Kentucky Division of Engineering
Alan Grant, KDOW Water Quality

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES & ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER



**APPLICATION FOR PERMIT TO CONSTRUCT ACROSS OR ALONG A STREAM
AND / OR WATER QUALITY CERTIFICATION**

Chapter 151 of the Kentucky Revised Statutes requires approval from the Division of Water prior to any construction or other activity in or along a stream that could in any way obstruct flood flows or adversely impact water quality. If the project involves work in a stream, such as bank stabilization, dredging or relocation, you will also need to obtain a 401 Water Quality Certification (WQC) from the Division of Water. This completed form will be forwarded to the Water Quality Branch for WQC processing. The project may not start until all necessary approvals are received from the KDOW. For questions concerning the WQC process, contact the WQC section at 502/564-3410.

If the project will disturb more than 1 acre of soil, you will also need to complete the attached Notice of Intent for Storm Water Discharges, and return both forms to the Floodplain management Section of the KDOW. This general permit will require you to create an implement an erosion control plan for the project.

1. **OWNER:** Commonwealth of Kentucky, Division of Contract Administration, Joe Meyer, Associate Director
Give name of person(s), company, governmental unit, or other owner of proposed project.
MAILING ADDRESS: 403 Wapping Street, Frankfort, Kentucky 40601 20202A
TELEPHONE #: (502) 564-3155 **EMAIL:** Joe.Meyer@ky.gov
2. **AGENT:** Darrell A. Edwards, P.E.
Give name of person(s) submitting application, if other than owner.
ADDRESS: 1525 Bull Lea Road, Suite 100, Lexington, Kentucky 40511
TELEPHONE #: 895-225-8500 **EMAIL:** darrell.edwards@strand.com
3. **ENGINEER:** Darrell A. Edwards **P.E. NUMBER:** 19172
Contact Division of Water if waiver can be granted.
TELEPHONE #: 859-225-8500 **EMAIL:** darrell.edwards@strand.com
4. **DESCRIPTION OF CONSTRUCTION:** _____
Describe the type and purpose of construction and describe stream impact
The proposed site for the hospital is located on a landlocked parcel that will require the extension of public right of way to access the site. A new bridge to cross the creek is required in the process of extending the right of way access to the site. The extension of the right of way will facilitate the relocation of an existing drainage ditch used for conveying the site runoff from the Coldstream Research Campus to Cane Run Creek. The activities that affect Cane Run creek involves the construction of a temporary crossing of the creek for transport of construction equipments and material, construction of a bridge for public transport across the creek and the floodplain, removal of the proposed temporary creek crossing, removal of an existing stream crossing facility used in farming operations that has failed and the construction of various systems of stormwater management and discharge to the creek. Extension of right of way access will include the construction of roadway with fill that will involve piping and relocation of an existing drainage ditch that routes runoff from portions of the Coldstream Research Campus development to Cane Run Creek. BRIDGE, LOW WATER CROSSING, & HOSPITAL.
5. **COUNTY:** Fayette **NEAREST COMMUNITY:** Lexington, Kentucky
6. **USGS QUAD NAME** Lexington East **LATITUDE/LONGITUDE:** 38°05'08"N / 84°29'47"W
7. **STREAM NAME:** Cane Run Creek **WATERSHED SIZE (in acres):** _____
8. **LINEAR FEET OF STREAM IMPACTED:** 840 (720 ephemeral stream & 120 perennial stream)
9. **DIRECTIONS TO SITE:** Take exit 115 off of I-64/75 into Lexington, Kentucky. At the fourth stop light turn right onto Citation Boulevard going west to the next intersection, Bull Lea Road, and turn left on to Bull Lea Road to the end of the roadway. The project is located on the south side of the creek. Access to the site is limited to a farm road stream crossing.

10. IS ANY PORTION OF THE REQUESTED PROJECT NOW COMPLETE? ☐ Yes ☒ No If yes, identify the completed portion on the drawings you submit and indicate the date activity was completed. DATE: _____
11. ESTIMATED BEGIN CONSTRUCTION DATE: May 2010
12. ESTIMATED END CONSTRUCTION DATE: October 2012
13. HAS A PERMIT BEEN RECEIVED FROM THE US ARMY, CORPS of ENGINEERS? ☐ Yes ☒ No If yes, attach a copy of that permit.
14. THE APPLICANT *MUST* ADDRESS PUBLIC NOTICE:
- (a) PUBLIC NOTICE HAS BEEN GIVEN FOR THIS PROPOSAL BY THE FOLLOWING MEANS:
- _____ Public notice in newspaper having greatest circulation in area (provide newspaper clipping or affidavit)
- X Adjacent property owner(s) affidavits (Contact Division of Water for requirements.)
- (b) _____ I REQUEST WAIVER OF PUBLIC NOTICE BECAUSE:
- _____
- _____ Contact Division of Water for requirements.
15. I HAVE CONTACTED THE FOLLOWING CITY OR COUNTY OFFICIALS CONCERNING THIS PROJECT:
- Marwan Ryan, Lexington-Fayette Urban County Government Floodplain Corrodinator
- _____ Give name and title of person(s) contacted and provide copy of any approval city or county may have issued.
16. LIST OF ATTACHMENTS: Construction exhibits and sections, Location map from Quad sheet, copies of notification to affected or adjacent property owners, and a copy of the Hec-ras analysis for the development with reference maps. A copy of the FEMA CLOMR application and supporting documents will be submitted for reference once filed with FEMA.
17. I, [Signature] (owner) CERTIFY THAT THE OWNER OWNS OR ~~HAS~~ ^{WILL HAVE} EASEMENT RIGHTS ON ALL PROPERTY ON WHICH THIS PROJECT WILL BE LOCATED OR ON WHICH RELATED CONSTRUCTION WILL OCCUR (for dams, this includes the area that would be impounded during the design flood).
18. REMARKS: Copies of permit applications with the USACE will be submitted for reference. The NOI for the stormwater permit during construction will be the responsibility of the contractor selected for the construction work.

I hereby request approval for construction across or along a stream as described in this application and any accompanying documents. To the best of my knowledge, all the information provided is true and correct.

SIGNATURE: [Signature]
Owner or Agent sign here. (If signed by Agent, a Power of Attorney should be attached.)

DATE: 2/18/10

SIGNATURE OF LOCAL FLOODPLAIN COORDINATOR:

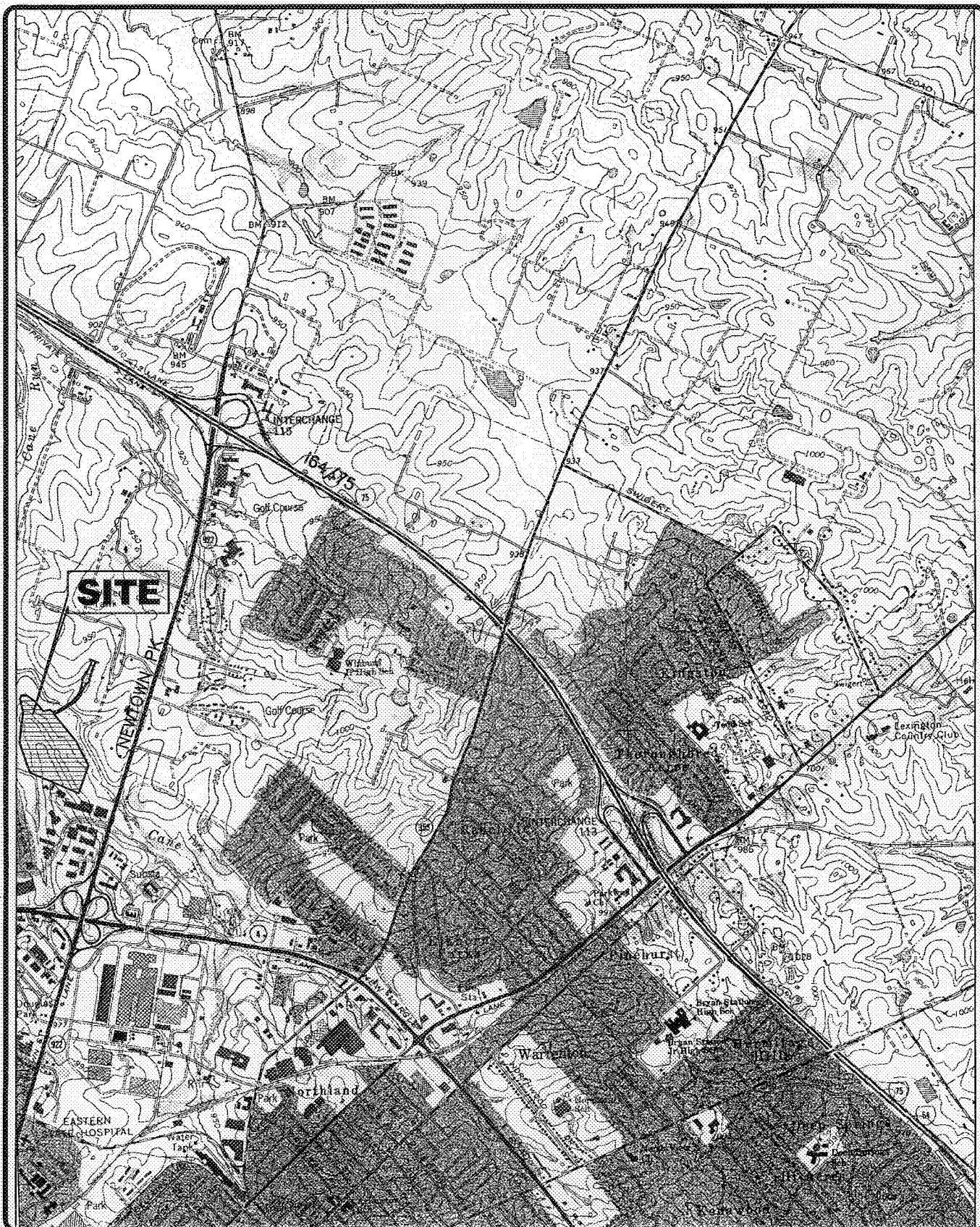
[Signature]
Permit application will be returned to applicant if not properly endorsed by the local floodplain coordinator.

DATE: 2/18/10

SUBMIT APPLICATION AND ATTACHMENTS TO:

Floodplain Management Section
Division of Water
14 Reilly Road
Frankfort, KY 40601

File: S:\LEX\3500\---3593\3594\002\AC08\JUV OF WATER EX 1.dwg Time: Feb 02, 2010 - 11:59am



PROJECT MAP

N.T.S.

TAKEN FROM USGS QUAD SHEET LEXINGTON
EAST, KY

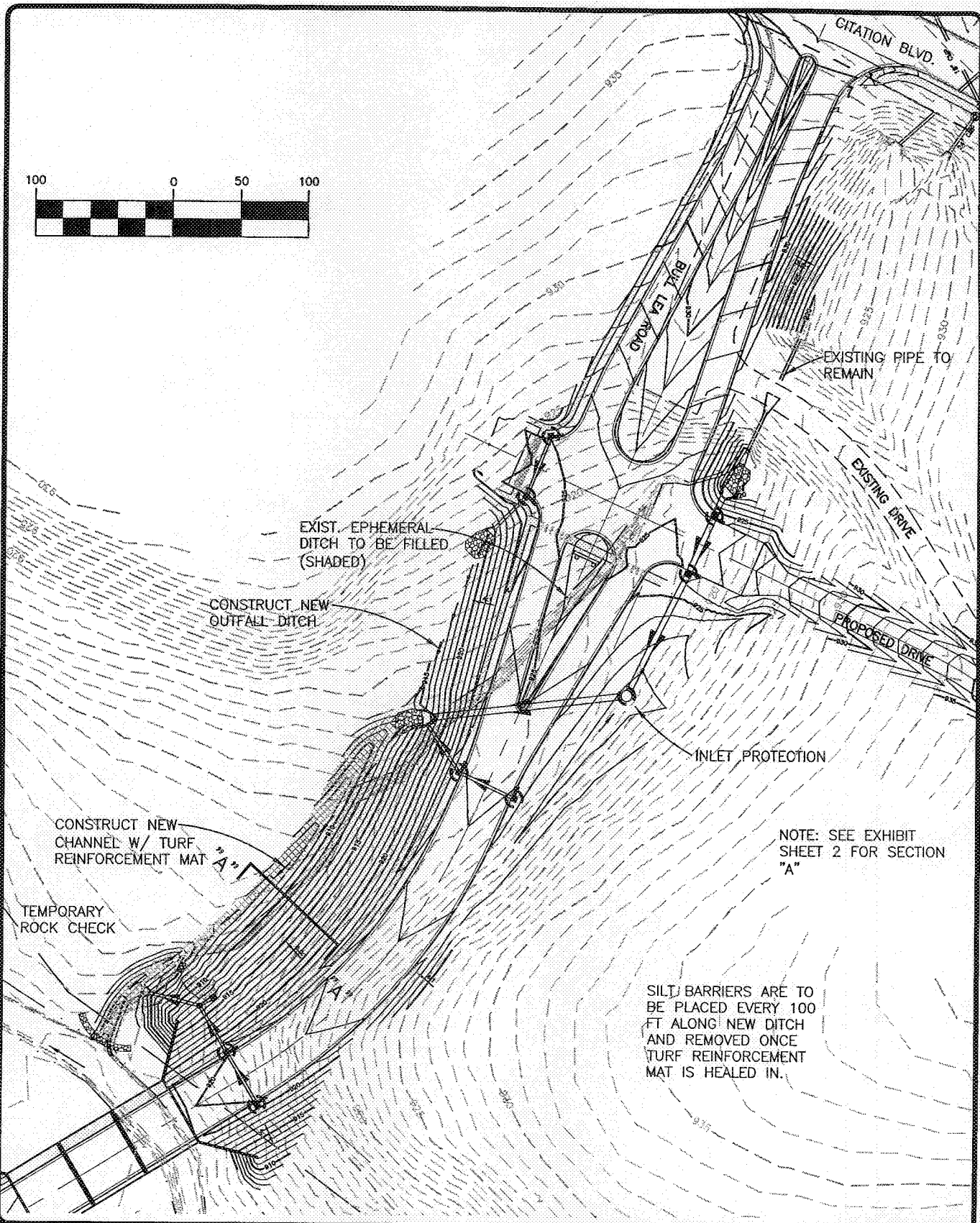
EASTERN STATE
HOSPITAL

JANUARY 2010

STRAND
ASSOCIATES, INC.
ENGINEERS

PROJECT MAP

File: S:\LEX\35000--3599\3549\002\Acad\DIV OF WATER EX 1.dwg Time: Feb 17, 2010 - 2:10pm



LATITUDE: 38°05'09" N
LONGITUDE: 84°29'45" W

EPHEMERAL DITCH TO BE FILLED
720 LF OF STREAM DISTURBANCE (700 CY OF FILL)
465 LF OF NEW DITCH (328 CY OF CUT)

**STREAM
DISTURBANCE**

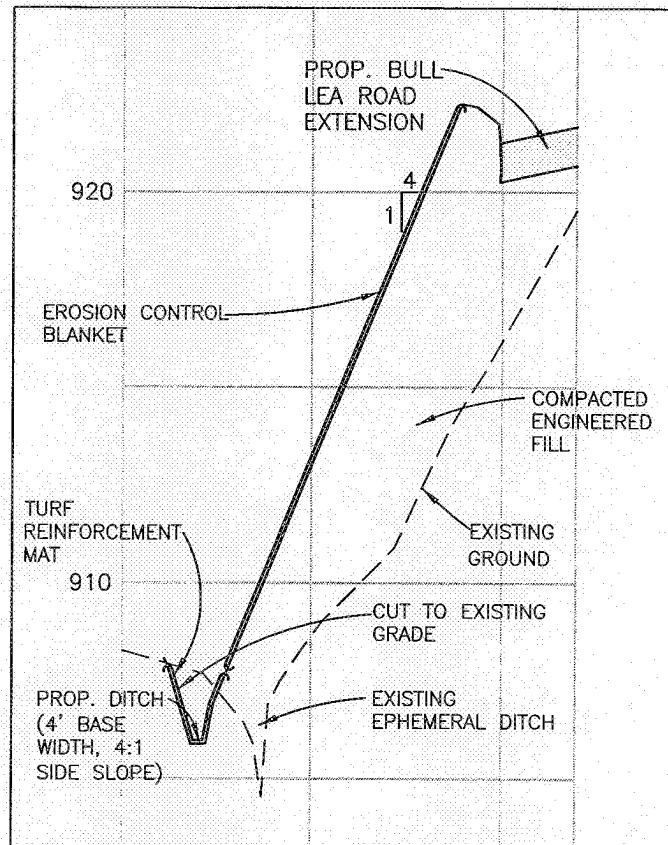
**EASTERN STATE
HOSPITAL**

JANUARY 2010

STRAND
ASSOCIATES, INC.
ENGINEERS

EXHIBIT 1

File: S:\LX\3500--3599\3599\U02\Acad\DWG OF WATER EX 1.dwg Time: Feb 17, 2010 - 3:01pm



SECTION "A"

SCALE: 1"=50' HORZ.
SCALE: 1"=5' VERT.

LATITUDE: 38°05'09" N
LONGITUDE: 84°29'45" W

EPHEMERAL DITCH TO BE FILLED
AND NEW DITCH TO BE CUT

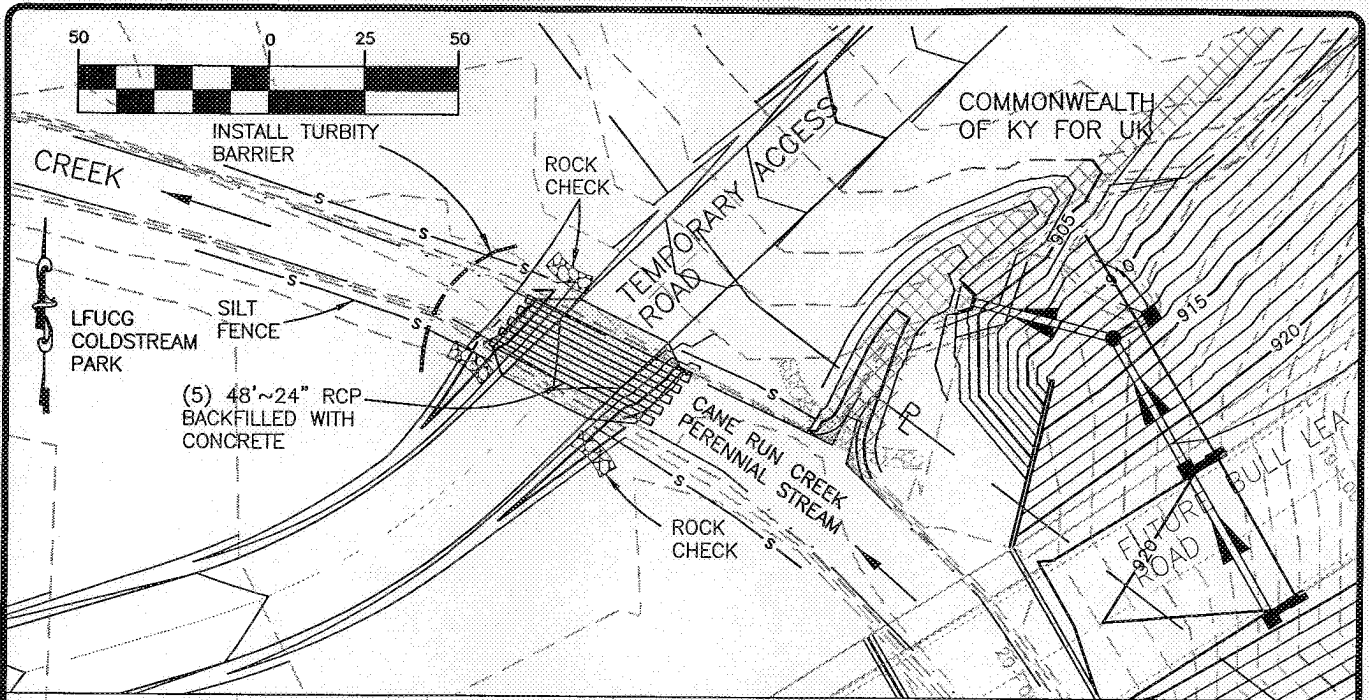
**STREAM
DISTURBANCE**

**EASTERN STATE
HOSPITAL**

JANUARY 2010

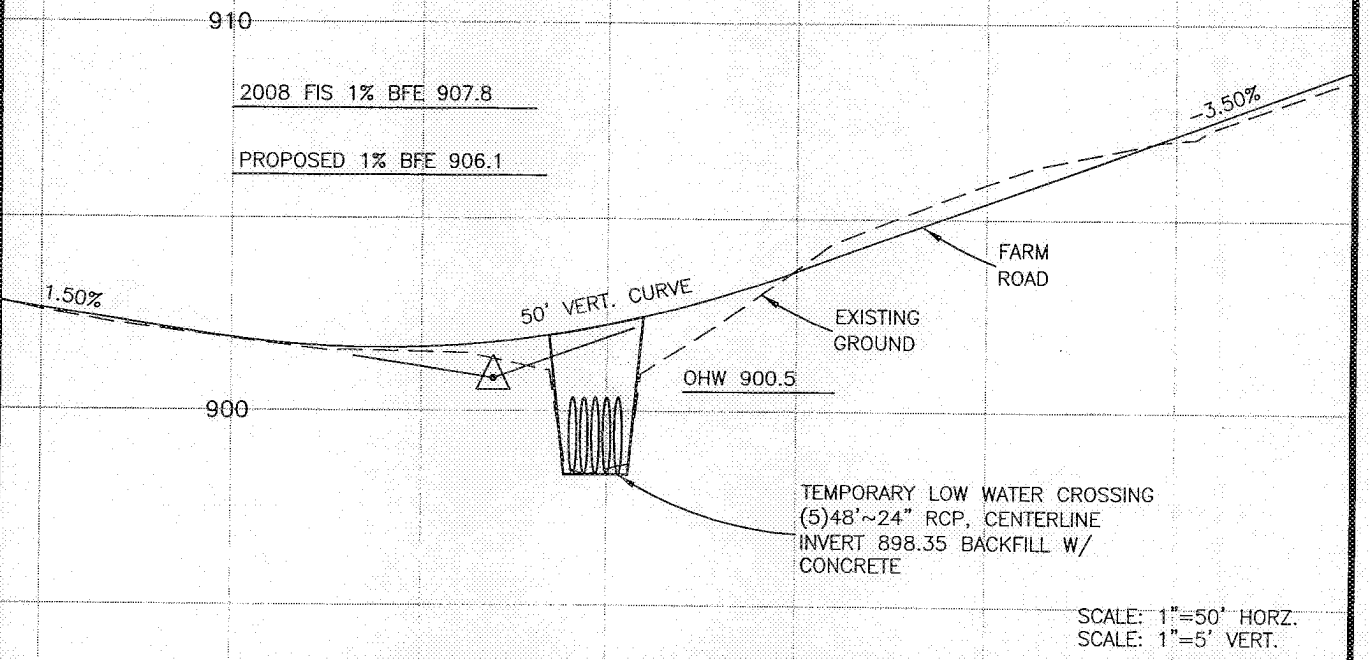


EXHIBIT 2



NOTE:

THE FINISHED SURFACE OF THE COMPLETED ROAD MAY BE NO MORE THAN 3" ABOVE THE PRECONSTRUCTION SURFACE OF THE FLOODPLAIN AT ANY POINT BEYOND THE TOP OF BANKS.
THE PIPE AND CONCRETE BACKFILL MUST BE CONTAINED WITHIN THE STREAM CHANNEL.



SCALE: 1"=50' HORZ.
SCALE: 1"=5' VERT.

LATITUDE: 38°05'08" N
LONGITUDE: 84°29'48" W

54 LF OF STREAM DISTURBANCE
18 CY OF CONCRETE
5-24" RCP @ 48 LF EACH

**STREAM
DISTURBANCE**

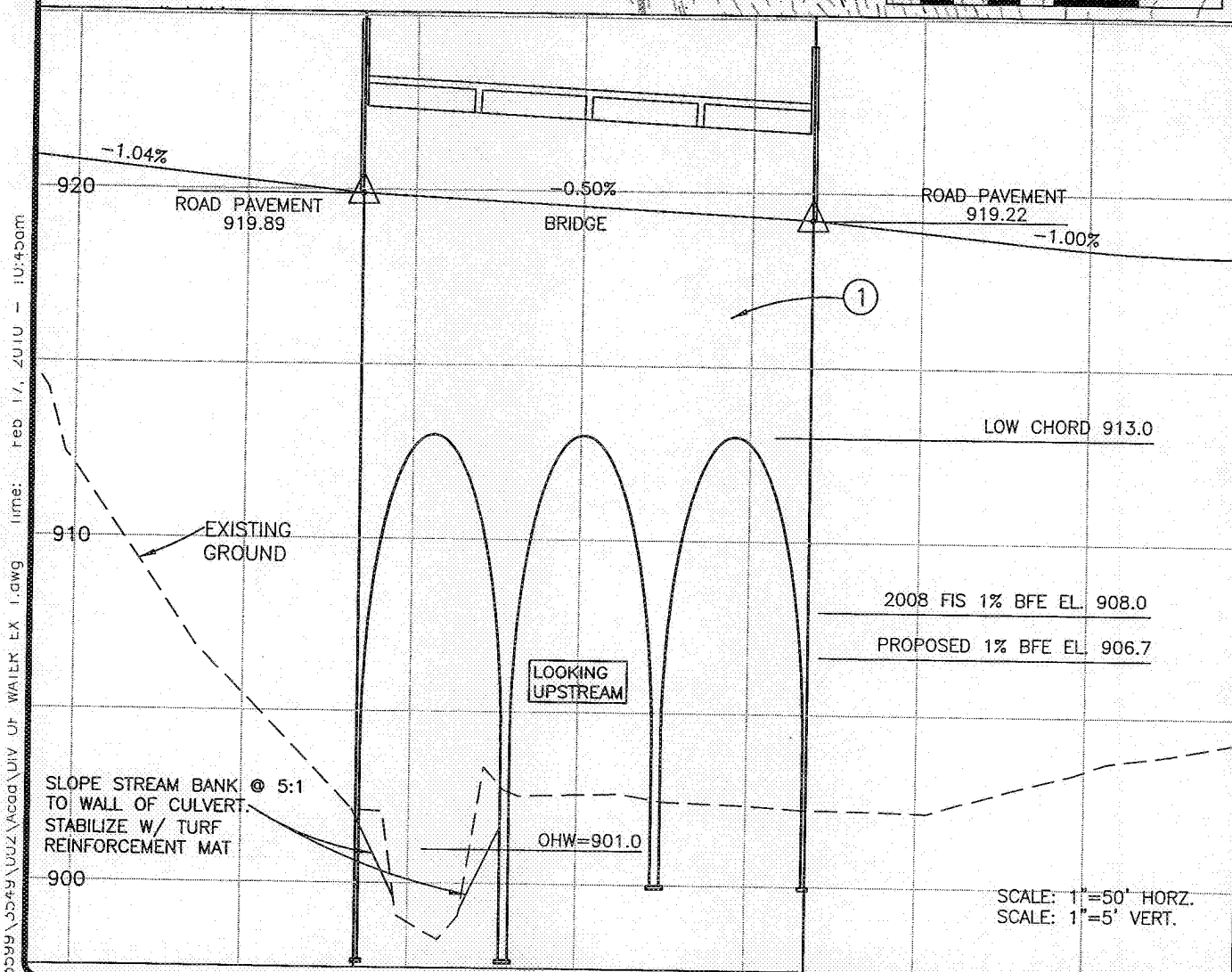
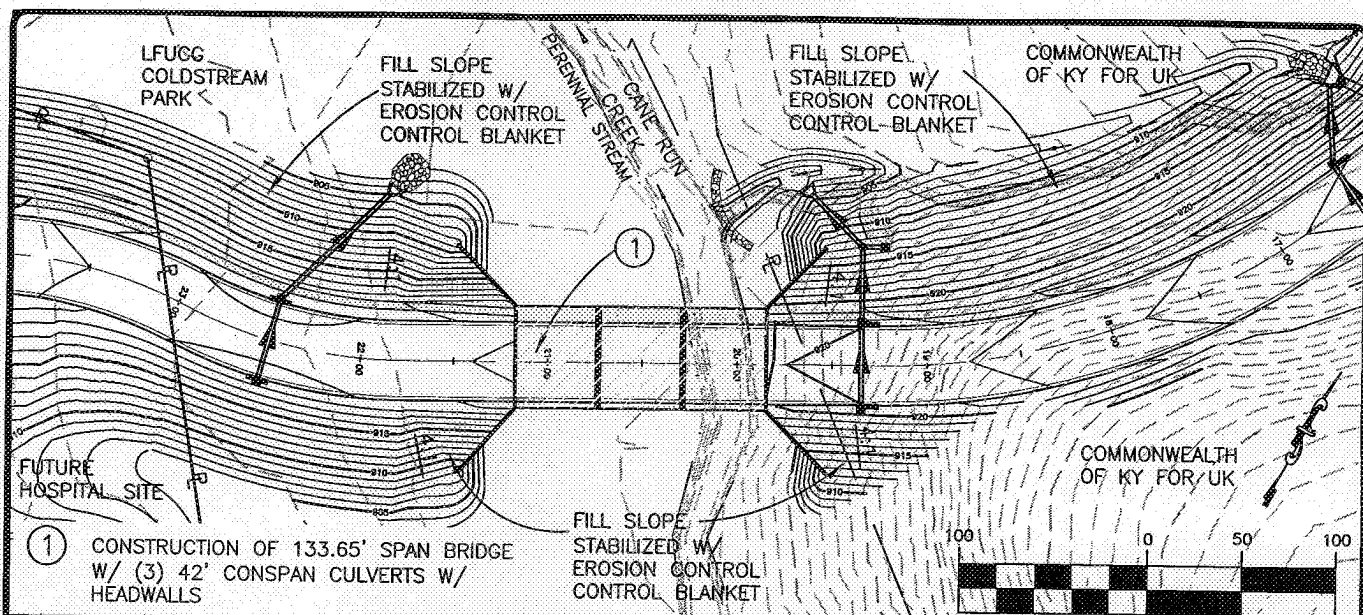
**EASTERN STATE
HOSPITAL**

JANUARY 2010

STRAND
ASSOCIATES, INC.
ENGINEERS

EXHIBIT 3

File: S:\LX\5500--3599\5549\002\Acad\Div of Water Temp Access Ex 2.dwg Time: Feb 17, 2010 3:15pm



LATITUDE: 38°05'08" N
LONGITUDE: 84°29'47" W

85 LF OF STREAM DISTURBANCE
FOUNDATION WORK OUTSIDE OF STREAM BED
22 CY OF CUT FOR BANK SLOPES

**STREAM
DISTURBANCE**

**EASTERN STATE
HOSPITAL**

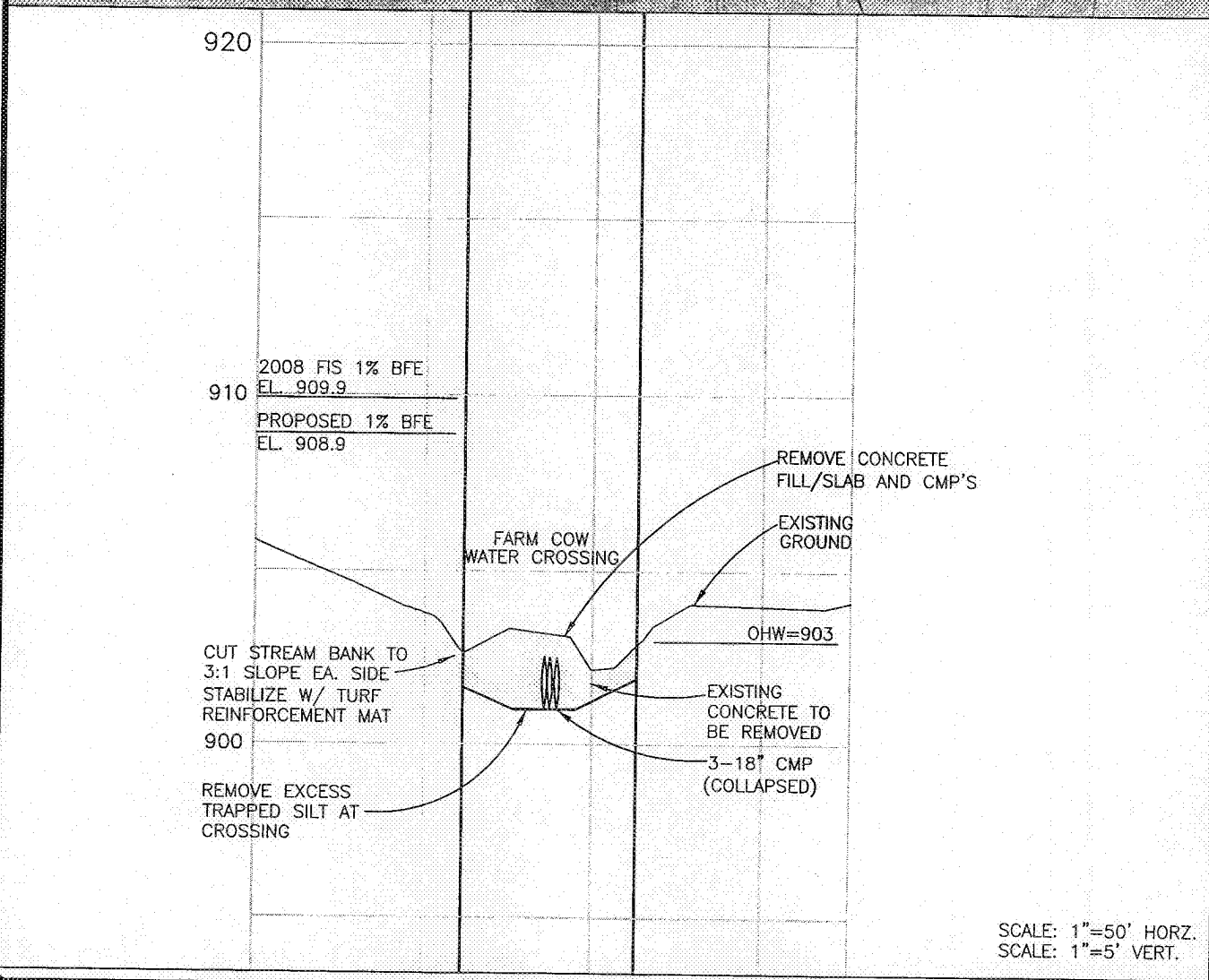
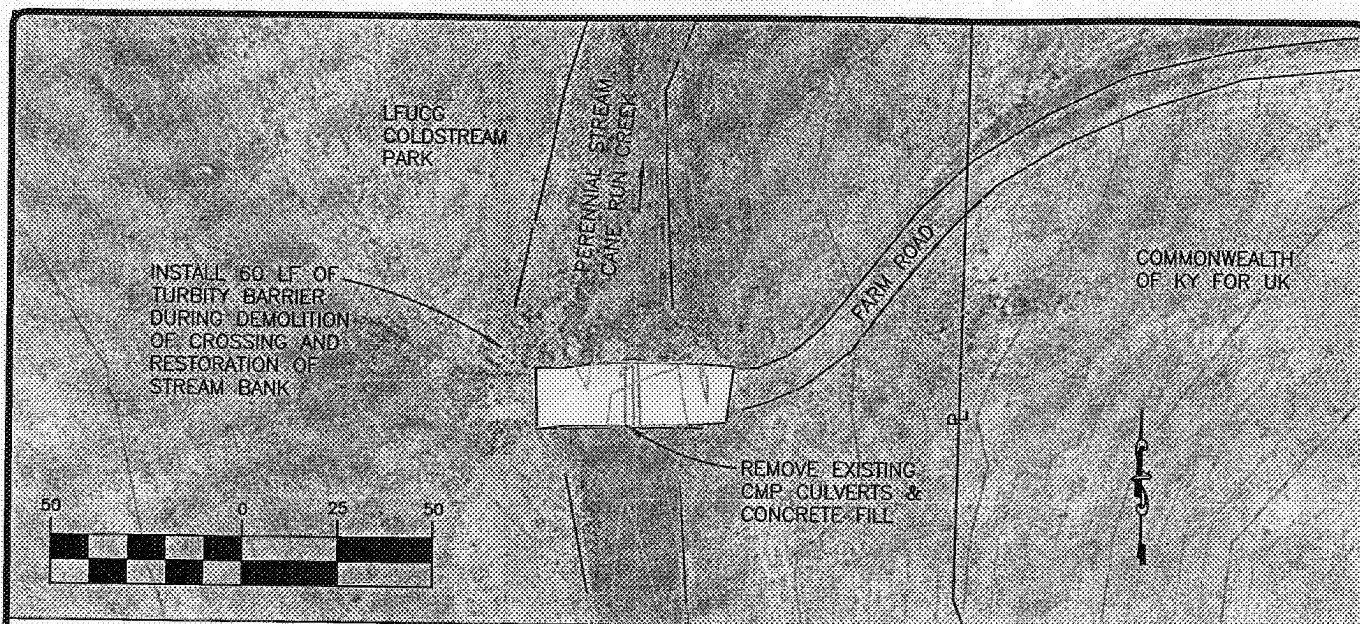
JANUARY 2010

**STRAND
ASSOCIATES, INC.
ENGINEERS**

EXHIBIT 4

FILE: S:\LEX\35000-3599\3549\002\Acad\DIV OF WATER EX 1.dwg TIME: Feb 17, 2010 10:45am

File: S:\LEX\35000-3599\3549\002\Acad\DIV OF WATER EX 1.dwg Time: Feb 17, 2010 10:40am



SCALE: 1"=50' HORZ.
SCALE: 1"=5' VERT.

LATITUDE: 38°05'04" N
LONGITUDE: 84°29'43" W

26 LF OF STREAM DISTURBANCE
REMOVAL OF 22 CY OF CONCRETE
AND 5 CY OF SILT AND 3-12'
CMP

**STREAM
DISTURBANCE**

**EASTERN STATE
HOSPITAL**

JANUARY 2010



EXHIBIT 5



STEVEN L. BESHEAR
GOVERNOR

Commonwealth of Kentucky
FINANCE AND ADMINISTRATION CABINET
DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES
DIVISION OF ENGINEERING AND CONTRACT ADMINISTRATION
Bush Building, 403 Wapping Street, 2nd Floor
Frankfort, Kentucky 40601
(502) 564-3155, ext. 236
(502) 564-3649 Facsimile

JONATHAN MILLER
Secretary

SAM RUTH
Commissioner

PAUL GANNOE
Executive Director

January 28, 2010

Marwan Rayan, P.E.
Lexington-Fayette Urban Co. Government
Division of Engineering
101 East Vine Street, Phoenix Building
Lexington KY 40507

Re: Eastern State Hospital Project
Cane Run Creek Crossings
Notice of Base Flood Elevation Increase

Dear Mr. Rayan:

The purpose of this letter is to provide notice that the Commonwealth of Kentucky, Division of Engineering and Contract Administration, 403 Wapping Street, Frankfort, Kentucky 40601, is filing an application for construction along a stream with the Energy and Environment Cabinet to construct the proposed Eastern State Hospital facilities at the Coldstream Research Campus.

The proposed project consists of constructing a roadway extension of Bull Lea Road across Cane Run Creek along with a temporary low water crossing for movement of construction equipment and materials across this water course. The removal of an existing low water stream crossing used for farming operations and the relocation of a drainage ditch serving as a stormwater outfall system for the Coldstream Research Campus will also be included in the project scope. Any comments or objections concerning this application shall be directed to: Kentucky Division of Water, Water Resources Branch, 200 Fair Oaks Lane, Frankfort, Kentucky 40601. Phone (502) 564-3410.

We request that you endorse and return the enclosed "Affidavit of Understanding" for the permit documentation at your earliest convenience.

This letter also provides notice regarding changes in the Base Flood Elevation (BFE) of the Flood Insurance Study (FIS), effective date September 17, 2008, for Cane Run Creek. As a part of the Eastern State Hospital Project, a Conditional Letter of Map Revision to be issued by FEMA will acknowledge that the proposed BFE's will increase above the existing conditions BFE's, ranging in increase from 0.1 to 1.4 feet along the segment of the creek from mile station 14.718 to mile station 14.949. However, the final corrected effective BFE will reflect a reduction from the current 2008 FIS BFE's of record in the portion of Cane Run Creek that runs along the proposed Eastern State Hospital site.



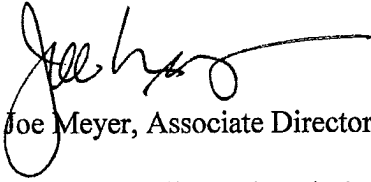
Marwan Rayan
Lexington-Fayette Urban County Government
Page 2
January 28, 2010

The actual published change in the BFE will occur after the bridge construction for the Eastern State Hospital Project is completed and the Letter of Map Revision is approved and becomes official by FEMA.

Please do not hesitate to contact me if you have any questions.

Sincerely,

COMMONWEALTH OF KENTUCKY
DIVISION OF ENGINEERING



Joe Meyer, Associate Director

c: Darrell A. Edwards, P.E., Strand Associates, Inc.®



AFFIDAVIT OF UNDERSTANDING

I, Mike Webb,
(Printed Name)

of Lexington-Fayette Urban County Government, 200 East Main Street, Lexington, KY 40507,
(Address)

An adjacent landowner to the Applicant below, herein confirm that I have been made aware that

Commonwealth of Kentucky, Division of Engineering and Contract Administration
(Printed Name of Applicant)

of 403 Wapping Street, Frankfort, Kentucky 40601
(Address of Applicant)

has made application to the Kentucky Division of Water, Water Resources Branch for a permit to

construct the proposed Eastern State Hospital facilities at the Coldstream Research Campus. The proposed project consists of constructing a roadway extension of Bull Lea Road across Cane Run Creek along with a temporary low water crossing for movement of construction equipment and materials across this water course. The removal of an existing low water stream crossing used for farming operations and the relocation of a drainage ditch serving as a stormwater outfall system for the Coldstream Research Campus will also be included in the project scope.

(Brief Description of Project)

at Coldstream Research Campus, Lot 33, located on the southside of Citation Boulevard, between Cane Run Creek and Nandino business park.

(Location of Project)

It is the intent of the LFUCG to grant the necessary temporary and permanent easements for the construction and maintenance of the proposed bridge. It is also understood that the one percent BFE will increase as a result of the construction of the bridge.

I am aware that any comments or objections concerning this application can be made by writing the Floodplain Management Section, of the Division of Water at:

Floodplain Management Section
Division of Water
200 Fair Oaks Lane
Frankfort, Kentucky 40601
(502) 564-3410

(Signature of Adjacent Property Owner)

(Date)

(Signature of Applicant)

(Date)

Subscribed and sworn to before me this _____ day of _____ 20 ____.

Notary Public

My commission expires: _____



STEVEN L. BESHEAR
GOVERNOR

Commonwealth of Kentucky
FINANCE AND ADMINISTRATION CABINET
DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES
DIVISION OF ENGINEERING AND CONTRACT ADMINISTRATION
Bush Building, 403 Wapping Street, 2nd Floor
Frankfort, Kentucky 40601
(502) 564-3155
(502) 564-3649 Facsimile

JONATHAN MILLER
Secretary

SAM RUTH
Commissioner

PAUL GANNOE
Executive Director

January 28, 2010

Robert Wiseman
Vice President for Facilities Management
University of Kentucky
225 Peterson Service Building
Lexington, KY 40506-005

Re: Eastern State Hospital Project
Cane Run Creek Crossings
Notice of Base Flood Elevation Increase

Dear Mr. Wiseman:

The purpose of this letter is to provide notice that the Commonwealth of Kentucky, Division of Engineering and Contract Administration, 403 Wapping Street, Frankfort, Kentucky 40601, is filing an application for construction along a stream with the Energy and Environment Cabinet to construct the proposed Eastern State Hospital facilities at the Coldstream Research Campus.

The proposed project consists of constructing a roadway extension of Bull Lea Road across Cane Run Creek along with a temporary low water crossing for movement of construction equipment and materials across this water course. The removal of an existing low water stream crossing used for farming operations and the relocation of a drainage ditch serving as a stormwater outfall system for the Coldstream Research Campus will also be included in the project scope. Any comments or objections concerning this application shall be directed to: Kentucky Division of Water, Water Resources Branch, 200 Fair Oaks Lane, Frankfort, Kentucky 40601. Phone (502) 564-3410.

We request that you endorse and return the enclosed "Affidavit of Understanding" for the permit documentation at your earliest convenience.

This letter also provides notice regarding changes in the Base Flood Elevation (BFE) of the Flood Insurance Study (FIS), effective date September 17, 2008, for Cane Run Creek. As a part of the Eastern State Hospital Project, a Conditional Letter of Map Revision to be issued by FEMA will acknowledge that the proposed BFE's will increase above the existing conditions BFE's, ranging in increase from 0.1 to 1.4 feet along the segment of the creek from mile station 14.718 to mile station 14.949. However, the final corrected effective BFE will reflect a reduction from the current 2008 FIS BFE's of record in the portion of Cane Run Creek that runs along the proposed Eastern State Hospital site.



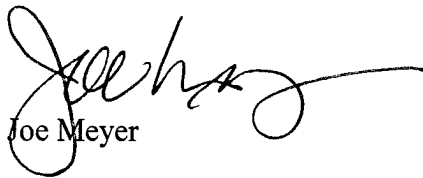
Robert Wiseman
University of Kentucky
Page 2
January 28, 2010

The actual published change in the BFE will occur after the bridge construction for the Eastern State Hospital Project is completed and the Letter of Map Revision is approved and becomes official by FEMA.

Please do not hesitate to contact me if you have any questions.

Sincerely,

COMMONWEALTH OF KENTUCKY
DIVISION OF ENGINEERING



Joe Meyer

c: Darrell A. Edwards, P.E., Strand Associates, Inc.®



AFFIDAVIT OF UNDERSTANDING

I, Robert Wiseman, Vice President for Facilities Management
(Printed Name)

of University of Kentucky, 225 Peterson Service Building, Lexington, KY 40506-005
(Address)

An adjacent landowner to the Applicant below, herein confirm that I have been made aware that

Commonwealth of Kentucky, Division of Engineering and Contract Administration
(Printed Name of Applicant)

of 403 Wapping Street, Frankfort, Kentucky 40601
(Address of Applicant)

has made application to the Kentucky Division of Water, Water Resources Branch for a permit to

construct the proposed Eastern State Hospital facilities at the Coldstream Research Campus. The proposed project consists of constructing a roadway extension of Bull Lea Road across Cane Run Creek along with a temporary low water crossing for movement of construction equipment and materials across this water course. The removal of an existing low water stream crossing used for farming operations and the relocation of a drainage ditch serving as a stormwater outfall system for the Coldstream Research Campus will also be included in the project scope.

(Brief Description of Project)

at Coldstream Research Campus, Lot 33, located on the southside of Citation Boulevard, between Cane Run Creek and Nandino business park.

(Location of Project)

I am aware that any comments or objections concerning this application can be made by writing the Floodplain Management Section, of the Division of Water at:

Floodplain Management Section
Division of Water
200 Fair Oaks Lane
Frankfort, Kentucky 40601
(502) 564-3410

(Signature of Adjacent Property Owner) (Date)

(Signature of Applicant) (Date)

Subscribed and sworn to before me this _____ day of _____ 20 ____.

Notary Public
My commission expires: _____



STEVEN L. BESHEAR
GOVERNOR

Commonwealth of Kentucky
FINANCE AND ADMINISTRATION CABINET
DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES
DIVISION OF ENGINEERING AND CONTRACT ADMINISTRATION
Bush Building, 403 Wapping Street, 2nd Floor
Frankfort, Kentucky 40601
(502) 564-3155, ext. 230
(502) 564-3649 Facsimile

JONATHAN MILLER
Secretary

SAM RUTH
Commissioner

PAUL GANNOE
Executive Director

January 28, 2010

Steven Garrison
Director of Purchasing/Operations
Bluegrass Regional Mental Health-Mental Retardation Board, Inc.
P.O.Box 11428
Lexington, KY 40575

Re: Eastern State Hospital Project
Cane Run Creek Crossings
Notice of Base Flood Elevation Increase

Dear Mr. Garrison:

The purpose of this letter is to provide notice that the Commonwealth of Kentucky, Division of Engineering and Contract Administration, 403 Wapping Street, Frankfort, Kentucky 40601, is filing an application for construction along a stream with the Energy and Environment Cabinet to construct the proposed Eastern State Hospital facilities at the Coldstream Research Campus.

The proposed project consists of constructing a roadway extension of Bull Lea Road across Cane Run Creek along with a temporary low water crossing for movement of construction equipment and materials across this water course. The removal of an existing low water stream crossing used for farming operations and the relocation of a drainage ditch serving as a stormwater outfall system for the Coldstream Research Campus will also be included in the project scope. Any comments or objections concerning this application shall be directed to: Kentucky Division of Water, Water Resources Branch, 200 Fair Oaks Lane, Frankfort, Kentucky 40601. Phone (502) 564-3410.

We request that you endorse and return the enclosed "Affidavit of Understanding" for the permit documentation at your earliest convenience.

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Steven Garrison
Bluegrass Regional Mental Health-Mental Retardation Board, Inc.
Page 2
January 28, 2010

The actual published change in the BFE will occur after the bridge construction for the Eastern State Hospital Project is completed and the Letter of Map Revision is approved and becomes official by FEMA.

Please do not hesitate to contact me if you have any questions.

Sincerely,

COMMONWEALTH OF KENTUCKY
DIVISION OF ENGINEERING



Joe Meyer

c: Darrell A. Edwards, P.E., Strand Associates, Inc.®



AFFIDAVIT OF UNDERSTANDING

I, Steven Garrison, Director of Purchasing/Operations,
(Printed Name)

of Bluegrass Regional Mental Health-Mental Retardation Board, Inc., P.O.Box 11428,
Lexington, KY 40575
(Address)

An adjacent landowner to the Applicant below, herein confirm that I have been made aware that

Commonwealth of Kentucky, Division of Engineering and Contract Administration
(Printed Name of Applicant)

of 403 Wapping Street, Frankfort, Kentucky 40601
(Address of Applicant)

has made application to the Kentucky Division of Water, Water Resources Branch for a permit to

construct the proposed Eastern State Hospital facilities at the Coldstream Research Campus. The
proposed project consists of constructing a roadway extension of Bull Lea Road across Cane Run Creek
along with a temporary low water crossing for movement of construction equipment and materials across
this water course. The removal of an existing low water stream crossing used for farming operations and
the relocation of a drainage ditch serving as a stormwater outfall system for the Coldstream Research
Campus will also be included in the project scope.

(Brief Description of Project)

at Coldstream Research Campus, Lot 33, located on the southside of Citation Boulevard, between
Cane Run Creek and Nandino business park.

(Location of Project)

I am aware that any comments or objections concerning this application can be made by writing the
Floodplain Management Section, of the Division of Water at:

Floodplain Management Section
Division of Water
200 Fair Oaks Lane
Frankfort, Kentucky 40601
(502) 564-3410

(Signature of Adjacent Property Owner) (Date)

(Signature of Applicant) (Date)

Subscribed and sworn to before me this _____ day of _____ 20 ____.

Notary Public
My commission expires: _____



STEVEN L. BESHEAR
GOVERNOR

Commonwealth of Kentucky
FINANCE AND ADMINISTRATION CABINET
DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES
DIVISION OF ENGINEERING AND CONTRACT ADMINISTRATION
Bush Building, 403 Wapping Street, 2nd Floor
Frankfort, Kentucky 40601
(502) 564-3155, ext. 230
(502) 564-3649 Facsimile

JONATHAN MILLER
Secretary

SAM RUTH
Commissioner

PAUL GANNOE
Executive Director

January 28, 2010

JTA Holdings, LLC
2549 Richmond Road, Suite 100
Lexington, KY 40509

Re: Eastern State Hospital Project
Cane Run Creek Crossings
Notice of Base Flood Elevation Increase

Dear Sirs:

The purpose of this letter is to provide notice that the Commonwealth of Kentucky, Division of Engineering and Contract Administration, 403 Wapping Street, Frankfort, Kentucky 40601, is filing an application for construction along a stream with the Energy and Environment Cabinet to construct the proposed Eastern State Hospital facilities at the Coldstream Research Campus.

The proposed project consists of constructing a roadway extension of Bull Lea Road across Cane Run Creek along with a temporary low water crossing for movement of construction equipment and materials across this water course. The removal of an existing low water stream crossing used for farming operations and the relocation of a drainage ditch serving as a stormwater outfall system for the Coldstream Research Campus will also be included in the project scope. Any comments or objections concerning this application shall be directed to: Kentucky Division of Water, Water Resources Branch, 200 Fair Oaks Lane, Frankfort, Kentucky 40601. Phone (502) 564-3410.

We request that you endorse and return the enclosed "Affidavit of Understanding" for the permit documentation at your earliest convenience.

Please do not hesitate to contact me if you have any questions.

Sincerely,

COMMONWEALTH OF KENTUCKY
DIVISION OF ENGINEERING

Joe Meyer

cc: Darrell A. Edwards, P.E., Strand Associates, Inc.®



AFFIDAVIT OF UNDERSTANDING

I, _____,
(Printed Name)

of JTA Holdings, LLC, 2549 Richmond Road, Suite 100, Lexington, KY 40509,
(Address)

An adjacent landowner to the Applicant below, herein confirm that I have been made aware that

Commonwealth of Kentucky, Division of Engineering and Contract Administration
(Printed Name of Applicant)

of 403 Wapping Street, Frankfort, Kentucky 40601
(Address of Applicant)

has made application to the Kentucky Division of Water, Water Resources Branch for a permit to

construct the proposed Eastern State Hospital facilities at the Coldstream Research Campus. The proposed project consists of constructing a roadway extension of Bull Lea Road across Cane Run Creek along with a temporary low water crossing for movement of construction equipment and materials across this water course. The removal of an existing low water stream crossing used for farming operations and the relocation of a drainage ditch serving as a stormwater outfall system for the Coldstream Research Campus will also be included in the project scope.

(Brief Description of Project)

at Coldstream Research Campus, Lot 33, located on the southside of Citation Boulevard, between Cane Run Creek and Nandino business park.

(Location of Project)

I am aware that any comments or objections concerning this application can be made by writing the Floodplain Management Section, of the Division of Water at:

Floodplain Management Section
Division of Water
200 Fair Oaks Lane
Frankfort, Kentucky 40601
(502) 564-3410

(Signature of Adjacent Property Owner) (Date)

(Signature of Applicant) (Date)

Subscribed and sworn to before me this _____ day of _____ 20 ____.

Notary Public
My commission expires: _____



STEVEN L. BESHEAR
GOVERNOR

Commonwealth of Kentucky
FINANCE AND ADMINISTRATION CABINET
DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES
DIVISION OF ENGINEERING AND CONTRACT ADMINISTRATION
Bush Building, 403 Wapping Street, 2nd Floor
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JONATHAN MILLER
Secretary

SAM RUTH
Commissioner

PAUL GANNOE
Executive Director

January 28, 2010

Paramont 817 Nandino, LLC
900 Beasley St., Suite 110
Lexington, KY 40509

Re: Eastern State Hospital Project
Cane Run Creek Crossings
Notice of Base Flood Elevation Increase

To Whom It May Concern:

The purpose of this letter is to provide notice that the Commonwealth of Kentucky, Division of Engineering and Contract Administration, 403 Wapping Street, Frankfort, Kentucky 40601, is filing an application for construction along a stream with the Energy and Environment Cabinet to construct the proposed Eastern State Hospital facilities at the Coldstream Research Campus.

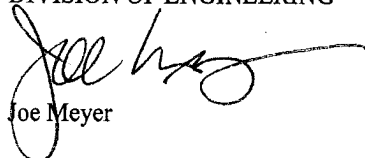
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We request that you endorse and return the enclosed "Affidavit of Understanding" for the permit documentation at your earliest convenience.

Please do not hesitate to contact me if you have any questions.

Sincerely,

COMMONWEALTH OF KENTUCKY
DIVISION OF ENGINEERING



Joe Meyer

c: Darrell A. Edwards, P.E., Strand Associates, Inc.®



AFFIDAVIT OF UNDERSTANDING

I, _____,
(Printed Name)

of Paramont 817 Nandino, LLC, 900 Beasley St., Suite 110, Lexington, KY 40509,
(Address)

An adjacent landowner to the Applicant below, herein confirm that I have been made aware that

Commonwealth of Kentucky, Division of Engineering and Contract Administration
(Printed Name of Applicant)

of 403 Wapping Street, Frankfort, Kentucky 40601
(Address of Applicant)

has made application to the Kentucky Division of Water, Water Resources Branch for a permit to

construct the proposed Eastern State Hospital facilities at the Coldstream Research Campus. The proposed project consists of constructing a roadway extension of Bull Lea Road across Cane Run Creek along with a temporary low water crossing for movement of construction equipment and materials across this water course. The removal of an existing low water stream crossing used for farming operations and the relocation of a drainage ditch serving as a stormwater outfall system for the Coldstream Research Campus will also be included in the project scope.
(Brief Description of Project)

at Coldstream Research Campus, Lot 33, located on the southside of Citation Boulevard, between Cane Run Creek and Nandino business park.
(Location of Project)

I am aware that any comments or objections concerning this application can be made by writing the Floodplain Management Section, of the Division of Water at:

Floodplain Management Section
Division of Water
200 Fair Oaks Lane
Frankfort, Kentucky 40601
(502) 564-3410

(Signature of Adjacent Property Owner) (Date)

(Signature of Applicant) (Date)

Subscribed and sworn to before me this _____ day of _____ 20 ____.

Notary Public
My commission expires: _____



Suite 100
1525 Bull Lea Road
Lexington, KY 40511
Phone: 859-225-8500
Fax: 859-225-8501

Office Locations

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Lexington, KY
Mobile, AL
Columbus, IN
Columbus, OH
Indianapolis, IN
Milwaukee, WI
Cincinnati, OH
Phoenix, AZ

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February 17, 2010

Lee Ann Divine
U.S. Army Corps of Engineers
600 Martin Luther King Jr. Place
P.O. Box 59
Louisville, KY 40201-0059

Re: Eastern State Hospital
Commonwealth of Kentucky
Division of Engineering and Contract Administration
Fayette County, Kentucky

Dear Ms. Divine:

Attached for your processing is a permit application/preconstruction notification along with supporting maps and exhibits detailing the proposed construction activities. The construction activities of the proposed project fall under the scope of the Nationwide Permit No. 39. The Commonwealth of Kentucky, Division of Engineering and Contract Administration is in the process of filing the appropriate permit applications with the Kentucky Division of Water (KDOW) for Construction Along a Stream and Water Quality Certification.

If you have any questions, please advise.

Sincerely,

STRAND ASSOCIATES, INC.®

A handwritten signature in black ink, appearing to read 'Darrell A. Edwards'.

Darrell A. Edwards, P.E.

Enclosure(s)

c/enc: Andy Casebier, Kentucky Division of Engineering

c: Alan Grant, KDOW, Water Quality
✓ Jory Becker, KDOW, Surface Waters

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT (33 CFR 325)			OMB APPROVAL NO. 0710-0003 Expires December 31, 2004		
<p>The Public burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.</p>					
PRIVACY ACT STATEMENT					
<p>Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research and Sanctuaries Act, 33 USC 1413, Section 103. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.</p> <p>One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.</p>					
(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)					
1. APPLICATION NO.		2. FIELD OFFICE CODE		3. DATE RECEIVED	
				4. DATE APPLICATION COMPLETED	
(ITEMS BELOW TO BE FILLED BY APPLICANT)					
5. APPLICANT'S NAME Commonwealth of Kentucky			8. AUTHORIZED AGENT'S NAME AND TITLE <i>(an agent is not required)</i> Joe Meyer, Associate Director		
6. APPLICANT'S ADDRESS Division of Engineering and Contract Administration 403 Wapping Street Frankfort, KY 40601			9. AGENT'S ADDRESS Same		
7. APPLICANT'S PHONE NOS. W/AREA CODE			10. AGENT'S PHONE NOS. W/AREA CODE		
a. Residence			a. Residence		
b. Business (502) 564-3155 Cell (502) 330-7033			b. Business (502) 564-3155 Cell (502) 330-7033		
11. STATEMENT OF AUTHORIZATION					
<p>I hereby authorize _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.</p>					
APPLICANT'S SIGNATURE			DATE		
NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY					
12. PROJECT NAME OR TITLE <i>(see instructions)</i> Eastern State Hospital Facility at Coldstream Research Campus					
13. NAME OF WATERBODY, IF KNOWN <i>(if applicable)</i> Cane Run Creek			14. PROJECT STREET ADDRESS <i>(if applicable)</i> Located on the south extension of Bull Lea Road, on the south side of Citation Boulevard.		
15. LOCATION OF PROJECT <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <u>Fayette</u> COUNTY </div> <div style="text-align: center;"> <u>Kentucky</u> STATE </div> </div>					
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN <i>(see instructions)</i>					
17. DIRECTIONS TO THE SITE Take the I64/75 exit 115 into Lexington. At the forth traffic light turn right on to Citation Boulevard. At the next intersection turn left onto the Bull Lea Road extension to the south. The site is across the creek.					

18. Nature of Activity (Description of project, include all features) Primarily the development of the farmland site into a hospital facility. The activities that affect Cane Run creek involve the construction of a temporary crossing of the creek for transport of construction equipments and material, construction of a bridge for public transport across the creek and the floodplain, removal of the proposed temporary creek crossing, removal of an existing stream crossing facility that has failed and the construction of various systems of stormwater management and discharge to the creek. Extension of right of way access will include the construction of roadway with fill that will involve piping and relocation of an existing drainage ditch that routes runoff from portions of the Coldstream Research Campus development to Cane Run creek.

19. Project Purpose (Describe the reason or purpose of the project, see instructions) The proposed site for the hospital is located on a landlocked parcel that will require the extension of public right of way to access the site. A new bridge to cross the creek is required in the process of extending the right of way access to the site. The extension of the right of way will facilitate the relocation of an existing drainage ditch used for conveying the site runoff from the Coldstream Research Campus to Cane Run Creek.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge A temporary stream crossing will be constructed for access to the project site by construction equipment and materials. The temporary stream crossing will involve the placement of 5-24"-diameter culvers in the stream bed back filled with concrete. The proposed public roadway extension will have a 42-foot conspan culvert crossing of the stream. The footers for the conspan units will be located on the edge to outside of the stream bed to minimize stream disturbance. The roadway extension will also require the relocation of an ephemeral stream/channel since the existing channel falls within the fill slopes of the proposed roadway extension. Upon completion of the new roadway the existing culvert crossing of the ephemeral channel will be removed and the channel section will be reconstructed. The existing low water stream crossing used for farming operations will also be removed upon completion of the roadway extension.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards **Temporary crossing:** 240 LF of 24" RCP and 18 cyd. of concrete. **Ephemeral channel relocation:** Removal of 100 cyd unsuitable material and compaction of 700 cyd engineered fill material, removal of 100 LF of 48" RCP and 95 cyd of clay and stone backfill. Construction of 425 LF new ephemeral channel with 4' BW & 3:1 S/S = 190 cyd excavated. **Farm road crossing removal:** Removal of 36 LF of collapsed 18" CMP, 22 cyd of concrete and 5 cyd of silt.

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions) Total area affected by construction is 0.30 acres as detailed in the supporting exhibits submitted with the permit application. (Ephemeral channel: 0.16 ac.; Temporary 24" crossing: 0.03ac.; Conspan culvert: 0.08ac.; Farm road removal: 0.03ac.)

23. Is Any Portion of the Work Already Complete? Yes _____ No X IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

Bluegrass Regional Mental Health-Mental Retardation Board, Inc., 1351 Newtown Pike, Lexington, KY 40511

JTA Holdings, LLC, 2549 Richmond Road, Suite 100, Lexington, KY 40509

Paramont 817 Nandino, LLC, 900 Beasley St., Suite 110, Lexington, KY 40509

University of Kentucky, 222 Peterson Service Building, Lexington Kentucky 40506-0005

Lexington-Fayette Urban County Government, 200 E. Main St, Lexington, Kentucky 40507

25. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
Kentucky Division of Water,	Construction along a Stream and Water Quality Certification	Pending with permit	At the same time as the USACE application	Pending	

*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.



Suite 100
1525 Bull Lea Road
Lexington, KY 40511
Phone: 859-225-8500
Fax: 859-225-8501

Office Locations

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Lexington, KY
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Columbus, IN
Columbus, OH
Indianapolis, IN
Milwaukee, WI
Cincinnati, OH
Phoenix, AZ

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February 18, 2010

Alan Grant, P.E., Branch Manager
Department for Environmental Protection
Division of Water
Frankfort Office Park
14 Reilly Road
Frankfort, KY 40601-1189

Re: Eastern State Hospital
Commonwealth of Kentucky
Division of Engineering and Contract Administration
Fayette County, Kentucky

Dear Mr. Grant:

Attached is the permit application and support documents for your processing. The proposed construction activities are within the floodplain and floodway of Cane Run Creek and will require your review and approval.

On the behalf of our client, Kentucky Division of Engineering and Contract Administration, an application noting the activities covered under a Nationwide Permit No. 39 has been submitted to U.S. Army Corps of Engineers. The client will require the selected contractor to develop a Stormwater Pollution Prevention Plan complying with all permit conditions and file the "NOI" required by the KYR10 permit.

We understand the Kentucky Division of Water (KDOW) permit application will address both the Construction Along a Stream and the Water Quality Certification permits. We have submitted a duplicate copy of the attached documents to Kate Carigan to expedite the permit process in the floodplain section. The construction of this project will be funded by the Commonwealth of Kentucky, therefore, your timely review and processing is greatly appreciated by the project team.

If you have any questions, please do not hesitate to contact me.

Sincerely,

STRAND ASSOCIATES, INC.®

A handwritten signature in dark ink, appearing to read 'Darrell A. Edwards'.

Darrell A. Edwards, P.E.

Enclosure(s)

c: Lee Ann Divine, U.S. Army Corps of Engineers

c/enc: Andy Casebier, Kentucky Division Engineering
← Kate Carigan, KDOW Surface Waters



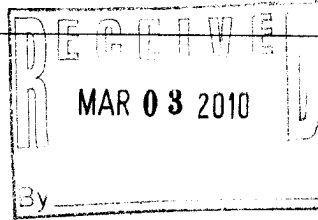
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www.strand.com

March 1, 2010



LOMC Clearing House
6730 Santa Barbara Court
Elkridge, MD 21075

Re: Conditional Letter of Map Revision
Eastern State Hospital
Cane Run
FEMA Community Panel 210067 0128D
Lexington-Fayette Urban County Government
Fayette County, Kentucky

Dear Sirs:

Attached is the request for a Conditional Letter of Map Revision (CLOMR) with associated review fee and support documentation for your processing and approval. This CLOMR request is for a section of Cane Run Creek studied with the Legacy Trail CLOMR FEMA Case No.09-04-7135R. The same existing condition HEC-RAS hydraulic computer model, dated November 10, 2009, was used in developing a corrective effective model to analyze the impacts of the proposed bridge design for Eastern State Hospital (ESH).

The proposed bridge will cause a 1.4-foot rise in the base flood elevation (BFE) just upstream of the bridge. Other alternatives were evaluated that would reduce the rise in BFE. These alternatives, however, would increase the risk of adverse impacts to the karst features along the creek at the proposed bridge location. The increased BFE does not impact existing structures along Cane Run and the affected property owners have accepted the increase.

To the best of my knowledge and belief, all of the affected property owners have been formally notified of the maximum increase in BFE that will result from the construction of the proposed bridge crossing of Cane Run Creek to the ESH site.

Please do not hesitate to contact us if you have question during your review.

Sincerely,

STRAND ASSOCIATES, INC.®

Darrell A. Edwards, P.E.

Enclosure(s)

c/enc.: Andy Casbier, Div. Engineering, Commonwealth of Kentucky
c: Greg Lubeck, LFUCG
 └ Kourosh S. Namin, KDOW